

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division**

In re: RICHARD PATRICK MONAHAN
KRISTIN POWELL MONAHAN

Chapter 13
Case No.: 19-51575-SCS

Debtors

**OBJECTION TO CONFIRMATION OF THE
CHAPTER 13 PLAN BY THE STANDING TRUSTEE AND
NOTICE OF OBJECTION TO CONFIRMATION OF THE
CHAPTER 13 PLAN BY THE STANDING TRUSTEE AND
NOTICE OF HEARING**

OBJECTION TO CONFIRMATION:

Michael P. Cotter, Chapter 13 Standing Trustee, respectfully objects to confirmation by the Court of a Plan submitted by the above Debtors, filed, November 11, 2019, on the following grounds, to-wit:

1. The debtors have scheduled unsecured debts that far exceed the debt limits under Section 109(e). The debtors are ineligible to file a Chapter 13.
2. At the meeting of creditors, both Debtors stated that they have recently obtained employment. Accordingly, amendments to the Schedules are necessary.
3. The Debtors purchased two expensive vehicles in 2018---one with a lien of approximately \$64,700 and the other with a lien of approximately \$73,400. The Trustee objects to the Debtors' proposed retention of the 2018 Ford Expedition with the lien of \$73,400. The Trustee submits that such vehicle is not necessary for the Debtors' reasonable rehabilitation.
4. The Trustee objects to the Debtors' retention of the Hilton timeshare located in Orlando, Florida.

WHEREFORE, the Standing Trustee objects to confirmation of the proposed Chapter 13 Plan.

Michael P. Cotter
VSB No. 19526
Chapter 13 Standing Trustee
870 Greenbrier Circle, Suite 402
Chesapeake, VA 23320
(757) 961-3000

NOTICE OF OBJECTION TO CONFIRMATION:

Michael P. Cotter, Chapter 13 Standing Trustee, has filed papers with the Court objecting to confirmation of your Chapter 13 Plan dated, November 11, 2019, which was filed in this bankruptcy case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant relief sought in the Objection, or if you want the Court to consider your views on the Objection, then you or your attorney must:

Attend the HEARING scheduled to be held on **Friday, January 10, 2020 10:00 am**. The hearing will be held in United States Bankruptcy Court for the Eastern District of Virginia, Newport News Division, 2400 West Avenue, Newport News, Virginia.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Local Bankruptcy Rule 3015-2(D)(3) provides that as soon as possible after the filing of an objection, counsel are directed to communicate in an effort to settle the objection well in advance of any scheduled hearing on objection to confirmation.

Michael P. Cotter
VSB No. 19526
Chapter 13 Standing Trustee
870 Greenbrier Circle, Suite 402
Chesapeake, VA 23320
(757) 961-3000

NOTICE OF HEARING ON OBJECTION:

NOTICE IS HEREBY GIVEN that a **HEARING** on the foregoing Objection to Confirmation will be convened on **Friday, January 10, 2020 10:00 am**. The hearing will be held in United States Bankruptcy Court for the Eastern District of Virginia, Newport News Division, 2400 West Avenue, Newport News, Virginia.

/s/ Michael P. Cotter

Michael P. Cotter
Chapter 13 Standing Trustee

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Objection to Confirmation and Notice was sent via First Class mail or Electronic Notice this 3rd day of January, 2020 to:

RICHARD PATRICK MONAHAN
KRISTIN POWELL MONAHAN
27 WORNOM FARM ROAD
POQUOSON, VA 23662

CHARLES G. HAVENER, ESQ
HAVEN LAW GROUP P.C.
2021 CUNNINGHAM DRIVE
SUITE 310
HAMPTON, VA 23666
(via Electronic Notice)

/s/ Michael P. Cotter

Michael P. Cotter
Chapter 13 Standing Trustee

Michael P. Cotter
VSB No. 19526
Chapter 13 Standing Trustee
870 Greenbrier Circle, Suite 402
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